

IN THE DISTRICT COURT OF THE UNITED STATES  
DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

<b>FLOYD SELLERS,</b>	)	CRIMINAL NO: 4:07 - 901
Petitioner,	)	CIVIL NO: 4:08-70052
	)	
vs.	)	
	)	
UNITED STATES OF AMERICA,	)	<b><u>ORDER</u></b>
Respondent.	)	

The petitioner filed a motion to vacate or correct his sentence pursuant to 28 U.S.C. § 2255 on April 25, 2008. (Doc. #56). The United States of America (“Government”) filed a response in opposition to the petitioner’s motion and motion for summary judgment on October 29, 2009. (Docs. #73, #74). Pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), the petitioner was advised by Order filed March 24, 2010 that he had thirty-four days to file any material in opposition to the Government’s motion for summary judgment. (Doc. #78). The petitioner filed a brief reply on April 14, 2010 noting that he did not receive a copy of the Government’s motion and therefore was unable to file a response. (Doc. #80).

In order to allow the petitioner to file an appropriate response, the Clerk of Court is directed to forward the petitioner a copy of the Government’s response and motion for summary judgment. (Docs. #73, #74). The Court will file an additional Roseboro Order, directing the petitioner to respond to the Government’s motion within thirty-four days, simultaneously with the filing of this Order.

**IT IS SO ORDERED.**

s/ Terry L. Wooten  
United States District Judge

April 26, 2010

Florence, South Carolina